

Exhibit B

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

GEORGE MOORE, ET AL., ON)
BEHALF OF HIMSELF AND ALL)
OTHERS SIMILARLY SITUATED,)
)
Plaintiffs,) No. 4:18-cv-01962-SEP
)
v.)
)
COMPASS GROUP USA, INC., D/B/A)
CANTEEN,)
)
Defendant.)

VIDEO DEPOSITION OF GEORGE MOORE

September 8, 2023

Reporter: Jude Arndt, CSR, CCR, RPR
CSR No. 084-004847
CCR No. 1450

1 Q. And what address?

2 A. 3722 North Market.

3 Q. And how long have you been there?

4 A. 13 years.

5 Q. Do you have any other homes, residences,
6 or is that your only residence?

7 A. Yeah, the one that me and my wife stay at
8 now.

9 Q. And what's that address?

10 A. 5855 Washington.

11 Q. And when did you move?

12 A. Well, we're moving now.

13 Q. And the address on Washington, that's also
14 in St. Louis?

15 A. Yes, sir.

16 Q. Did you graduate from high school?

17 A. Yes, sir.

18 Q. What year?

19 A. '96.

20 Q. And have you attended any schools since
21 then?

22 A. No, sir.

23 Q. Are you currently employed?

24 A. Yes, sir.

25 Q. By whom are you employed?

1 A. By 4M.

2 Q. And what is 4M?

3 A. Mitch Murch Maintenance Manufacturing

4 Group. It's a maintenance company. I'm a day porter.

5 Q. And where do you work for 4M?

6 A. Here.

7 Q. Here, meaning 1010 Market?

8 A. 1010 Market.

9 Q. Do you have a job title?

10 A. Day porter.

11 Q. Day porter?

12 A. Yes, sir.

13 Q. And what are your duties as a day porter?

14 A. It's pretty much as a janitor. I make
15 sure that the restrooms are stocked and floors are
16 vacuumed. I have to do things that the night people
17 don't do.

18 Q. How long have you been employed by 4M?

19 A. Well, I've been employed by 4M for three
20 years, but I've been in the building 21 years.

21 Q. And when you say you're in the building,
22 does that mean performing the same job
23 responsibilities?

24 A. Yes, sir. Yes, sir.

25 Q. Who were you employed by prior to 4M?

1 A. A ripoff.

2 Q. And what do you mean by that?

3 A. Hmm?

4 Q. What -- what do you mean by that?

5 A. What I mean by that is that they're --
6 they're charging your card extra than when you use your
7 cash money. When you use cash money, it goes direct.
8 But if you use your card, it's charging you like 10,
9 15 cents extra, and that's not right.

10 Q. And -- and when you say they're charging
11 you, what are they charging you for?

12 A. Whatever you buy off the vending --
13 vending machine.

14 Q. So they operate vending machines, to your
15 understanding?

16 A. Yes, sir.

17 Q. Okay. If I represent to you that Canteen
18 is a business name that Compass Group uses, does that
19 make sense to you, that they're essentially one and the
20 same?

21 A. Not really.

22 Q. Are you familiar with vending machines
23 operated by Canteen?

24 A. No, sir.

25 Q. Have you ever used a vending machine

1 operated by Canteen?

2 A. Well, apparently. I'm here now.

3 MR. WYLIE: I'm sorry, can you read that
4 back?

5 [The previous question was read by the
6 reporter.]

7 THE WITNESS: I said, apparently. I'm
8 here now. You know, saying about the situation.

9 BY MR. WYLIE:

10 Q. And what situation is that?

11 A. Hmm?

12 Q. What situation is that?

13 A. About the machines.

14 Q. Which machines?

15 A. The vending machines.

16 Q. And vending machines located here at
17 1010 Market?

18 A. They were. They're not here anymore.

19 Q. What specific vending machines here at
20 1010 Market are you referring to?

21 A. The ones that was here at first. The
22 reason why we're here now.

23 Q. Where were these vending machines located?

24 A. Right behind us.

25 Q. On the fifth floor?

1 A. Yes, sir.

2 Q. Anywhere else in the building that had
3 Canteen vending machines?

4 A. No, sir.

5 Q. To the best of your knowledge, have you
6 ever bought anything from a Canteen vending machine
7 other than here at 1010 Market?

8 A. At the hospitals.

9 Q. Which hospitals?

10 A. Barnes, St. Louis University.

11 Q. And when did you make those purchases?

12 A. It's been a while. I can't remember.

13 Q. And how did you know they were Canteen
14 vending machines?

15 A. Sir?

16 Q. How did you know they were Canteen vending
17 machines?

18 A. Well, I didn't know, but I know they --
19 they the same as the ones that were here.

20 Q. And how do you know that?

21 A. What do you mean?

22 Q. I mean, how do you know that they were the
23 same -- that they were operated by the same company
24 that operated the machines here?

25 A. Because they sold the same things here,

1 and they was made the same way as the ones that was
2 here.

3 Q. So your -- your -- you believe that they
4 were the same as the ones here, because they looked the
5 same and they had the same product?

6 A. Yes, sir.

7 Q. But you don't know who -- who actually
8 operated the machines at the hospitals?

9 A. No, sir.

10 Q. Did you use a debit or prepaid card or a
11 credit card at the machines at the hospitals?

12 A. No. I used cash.

13 Q. Other than the machines at the hospitals,
14 do you think you've used vending machines operated by
15 Canteen anywhere else?

16 A. No, sir. Not that I remember.

17 Q. Okay. The machines that you used here on
18 the fifth floor, do you know how long they were here?

19 A. They were only here for -- I want to say
20 about three, four years.

21 Q. And do you know approximately from when to
22 when they were here?

23 A. No, sir.

24 Q. What kind of products did those vending
25 machines sell?

1 would you use cash?

2 A. No. I used my card. I didn't start using
3 cash until I found out about the machine was giving
4 you -- was charging extra.

5 Q. And how did you find out the machine was,
6 in your terms, charging extra?

7 A. This young lady named Caroline, she used
8 to work for Mr. Cornfeld, 'cause she had got
9 overcharged on her card. And she had asked me, have
10 you been using your card? I'm like, yes. And she had
11 told me, like, well, they're overcharging you for items
12 that you're getting.

13 So once I found out they was charging --
14 overcharging me, I just started using cash.

15 Q. And did you make any purchases with a
16 credit, debit, or prepaid card after you found out that
17 they were charging you extra for using those cards?

18 A. No, sir. I stopped using my card.

19 Q. And you said that you found out about it
20 from a woman named Caroline?

21 A. Yes, sir.

22 Q. Do you happen to know what her last name
23 is?

24 A. What's her name?

25 MR. CORNFELD: You're the witness.

1 THE WITNESS: Oh, sorry. No, I don't.

2 BY MR. WYLIE:

3 Q. And do you remember when you spoke with
4 Caroline about this?

5 A. Not really. I want to say around like
6 '17, '18.

7 Q. Do you remember --

8 A. It's been a while.

9 Q. Do you remember the time of the year?

10 A. No, sir.

11 Q. Do you remember what, specifically,
12 Caroline said to you about the vending machines?

13 A. Sir?

14 Q. Do you remember anything more about what
15 Caroline told you about the vending machines?

16 A. She had asked me, did I notice they was
17 overcharging me, because how often I used the machine.
18 'Cause this was before I had knew -- before -- when I
19 was using my card. Before I knew they was overcharging
20 me, I was using my card.

21 And she was like, well, this machine is
22 overcharging you. She was like, 10 cents. I'm like,
23 okay. So I said, well, I just won't use my card
24 anymore; I'll use cash. Because we were down here
25 together. She was getting stuff or whatever, and she

1 was explaining to me.

2 Q. And then did she say anything to you about
3 filing a lawsuit?

4 A. Yes.

5 Q. And what did she say?

6 A. Sir?

7 Q. What did she say?

8 A. She said that we're going to try to do a
9 lawsuit for the simple fact that people be getting
10 charged over for using their cards instead of using
11 cash, and she said that's not right. She said, 'cause
12 people work too hard for their money.

13 Q. And did she then put you in touch with
14 Mr. Cornfeld?

15 A. Yes, sir.

16 Q. And when was the first time you spoke to
17 Mr. Cornfeld about filing a lawsuit?

18 A. I can't really remember.

19 Q. When you first spoke with Mr. Cornfeld,
20 did he contact you, or did you contact him?

21 A. Sir?

22 Q. When you first spoke with Mr. Cornfeld,
23 did he contact you, or did you contact him?

24 A. Well, I guess once Caroline took my
25 statement, she had talked to Mr. Cornfeld, and he

1 A. Yes.

2 Q. And this appears to describe purchases
3 here at 1010 Market Street.

4 Do you see that in Paragraph 29?

5 A. Yes, sir.

6 Q. If you could turn to the next page,
7 Page 9.

8 Paragraph 33 reads, "On or about March 18,
9 2018, Plaintiff Moore purchased a soft drink with a
10 displayed price of \$1.50 from a machine owned and
11 operated by Defendant at 1010 Market."

12 Do you see that?

13 A. Yes.

14 Q. How did you know that you had made a
15 purchase on or about March 18, 2018?

16 A. How did I know?

17 Q. Yes.

18 A. Because that was the day when -- that was
19 one of the days that Caroline told me to use my card to
20 see that I -- I was getting beat.

21 Q. And when you say Caroline told you to use
22 your card, had you been using your card previous to
23 that?

24 A. Sir?

25 Q. Had you been using your card previously at

1 that machine?

2 A. Yeah.

3 Q. Prior to that date, how many purchases had
4 you made at the Canteen vending machines at
5 1010 Market?

6 A. Oh, I don't know. I don't know.

7 Q. Do you know how much -- how -- how much
8 before then those machines had been installed here?

9 A. No, sir.

10 Q. So this purchase on March 18 was after
11 Caroline had told you that the machines were charging
12 an extra 10 cents?

13 A. Yes, sir.

14 MR. CORNFELD: Can I see?

15 THE WITNESS: Uh-huh.

16 BY MR. WYLIE:

17 Q. The next sentence in Paragraph 33 reads,
18 "He paid with his prepaid card. Subsequently, he
19 received his prepaid statement, showing that Defendant
20 had charged his prepaid card \$1.60 for this item."

21 Do you see that?

22 A. Yes, sir.

23 Q. Prior to March of 2018, were you in the
24 habit of reviewing your -- reviewing the charges on
25 your prepaid card?

1 A. No, sir.

2 Q. -- on the fifth floor?

3 A. No, sir.

4 Q. Okay. Why not?

5 A. Why so?

6 Q. To save other people from getting charged
7 the 10 cents.

8 A. No, sir.

9 Q. Did you ever contact Canteen to complain?

10 A. No, sir.

11 Q. Why not?

12 A. Sir?

13 Q. Why not?

14 A. That's what the attorney is for.

15 Q. I'd like to have one more exhibit marked.
16 I think this is Exhibit 4.

17 [Exhibit 4 marked for identification.]

18 BY MR. WYLIE:

19 Q. For the record, this is a group exhibit,
20 with documents labeled PL 000027 through PL 000046.
21 And these are various pictures of vending machines.

22 MR. CORNFELD: Let me --

23 THE WITNESS: Yes, sir.

24 BY MR. WYLIE:

25 Q. If you look at the first page. This is

1 Q. Okay. Mr. Moore, you can answer the
2 question.

3 A. (Shaking head "no.")

4 Q. Do you know how you would find out how
5 many other purchases you made with your prepaid card at
6 a Canteen vending machine?

7 A. No, I wouldn't know, 'cause it's been so
8 long ago. I don't -- I don't even have that card
9 anymore. I have a different card, so I wouldn't know.

10 Q. Do you know if you were charged more than
11 the posted price for every purchase you made at
12 Canteen's vending machines?

13 A. With a card? Yeah.

14 Q. And how do you know that?

15 A. Well, you check, and it show you.

16 Q. But you only started checking with the
17 purchases in March and April 2018?

18 A. When I started paying attention, yeah.

19 Q. So for purchases made prior to that, you
20 don't know if you were overcharged or not?

21 A. No.

22 MR. WYLIE: Rick, if we could take a
23 break. I think I can probably wrap up, but I want to
24 go through a few things.

25 MR. CORNFELD: Okay. Is that all right,

1 criminal charges against you?

2 A. No, sir.

3 Q. Have you been involved in any other
4 lawsuits?

5 A. No, sir.

6 Q. Nothing -- no personal injury cases?

7 A. No, sir.

8 MR. WYLIE: I don't have anything further.

9 THE WITNESS: Okay.

10 MR. CORNFELD: I -- I just have a few.

11 EXAMINATION

12 BY MR. CORNFELD:

13 Q. Mr. Moore, you understand that, currently,
14 you are a plaintiff in this lawsuit --

15 A. Okay.

16 Q. -- correct?

17 A. Correct.

18 Q. Okay. But you have asked to be dismissed
19 from the case?

20 A. Yes.

21 Q. All right. And -- and that's because you
22 don't want to be a plaintiff in this case anymore --

23 A. Right.

24 Q. -- is that right?

25 A. Yes, sir.

1 C E R T I F I C A T E
2

3 I, Jude Arndt, a Certified Shorthand
4 Reporter and Certified Court Reporter, do hereby
5 certify that GEORGE MOORE, prior to the commencement of
6 the examination, was sworn by me to testify the truth,
7 the whole truth and nothing but the truth.

8 I DO FURTHER CERTIFY that the foregoing is a
9 true and accurate transcript of the proceedings as
10 taken stenographically by and before me at the time,
11 place and on the date hereinbefore set forth.

12 I DO FURTHER CERTIFY that I am neither a
13 relative nor employee nor attorney nor counsel of any
14 of the parties to this action, and that I am neither a
15 relative nor employee of such attorney or counsel, and
16 that I am not financially interested in this action.

17
18 
19

20 JUDE ARNDT, CSR, CCR, RPR
21

22 CSR NO. 084-004847
23

24 CCR NO. 1450
25